UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/51/673
13 November 1996

ORIGINAL: ENGLISH

Fifty-first session
Agenda item 18 (f)

APPOINTMENTS TO FILL VACANCIES IN SUBSIDIARY ORGANS AND OTHER APPOINTMENTS

Appointment of members of the International Civil Service Commission

Report of the Fifth Committee

Rapporteur: Mr. Igor V. GOUMENNY (Ukraine)

1. At its 24th meeting, on 8 November 1996, the Fifth Committee considered a note by the Secretary-General (A/51/106) concerning the vacancies in the membership of the International Civil Service Commission that will occur as a result of the expiration of the term of office of five of its members on 31 December 1996.

2. The Fifth Committee also had before it a note by the Secretary-General (A/C.5/51/17) containing the names of persons nominated by their respective Governments for appointment as members of the International Civil Service Commission, which included two persons for the two vacancies to be filled by candidates from the African States, one person for the vacancy to be filled by a candidate from the Eastern European States and two persons for the two vacancies to be filled by candidates from the Asian States.

3. The Fifth Committee decided, by acclamation, to recommend the appointment of Mr. Ernest Rusita (Uganda), Mr. El Hassane Zahid (Morocco), Mr. Alexander V. Chepourin (Russian Federation), Ms. Corazon Alma de Leon (Philippines) and Mr. Humayun Kabir (Bangladesh) to the International Civil Service Commission for a four-year term of office beginning 1 January 1997.

RECOMMENDATION OF THE FIFTH COMMITTEE

4. The Fifth Committee recommends that the General Assembly appoint the following persons as members of the International Civil Service Commission for a four-year term of office beginning 1 January 1997:

Ms. Corazon Alma de Leon;

Mr. Alexander V. Chepourin;

Mr. Humayun Kabir;

Mr. Ernest Rusita;

Mr. El Hassane Zahid.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/51/674
13 November 1996

ORIGINAL: ENGLISH

Fifty-first session
Agenda item 112

REVIEW OF THE EFFICIENCY OF THE ADMINISTRATIVE AND FINANCIAL FUNCTIONING OF THE UNITED NATIONS

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly a note dated 13 November 1996 from the Joint Inspection Unit, containing its updated and additional views on the strengthening of the external oversight mechanisms in accordance with Assembly decision 47/454 B of 23 December 1992.

96-31985 (E) 181196

/...

ANNEX

Note dated 13 November 1996 from the Joint Inspection Unit containing its updated and additional views on the strengthening of external oversight mechanisms submitted in accordance with General Assembly decisions 47/454 B of 23 December 1992 and 48/493 A of 29 July 1994

Introduction

1. The purpose of the present note is to provide the General Assembly with the updated and additional views of the Joint Inspection Unit (JIU) on the strengthening of external oversight mechanisms as a contribution to the review of this topic by the General Assembly in accordance with its decisions 47/454 B of 23 December 1992 and 48/493 A of 29 July 1994. These views supplement the earlier views of the Unit contained in the report of the Secretary-General in document A/49/633 of 30 November 1994 and in its 1994 annual report. a/

2. Reflecting the greatly increased concern of Member States about the need for effective oversight, the General Assembly in its resolution 50/233 of 7 June 1996 stressed that the impact of the Unit on the cost-effectiveness of activities within the United Nations system was a shared responsibility of the Member States, the Unit and the secretariats of the participating organizations. While this resolution specifically concerned JIU, the general application of the concept of shared responsibility clearly would apply to the impact, or effectiveness, of external oversight mechanisms as a whole, and not be restricted only to the Unit. The Unit believes this recent assertion by the Assembly, in connection with other developments since 1994, sets the proper context for a renewed consideration of requirements for strengthening external oversight mechanisms of the United Nations.

Member States

3. Within the context of shared responsibility for the impact, or effectiveness, of external oversight mechanisms, Member States clearly play an essential leading role. Member States are the intended beneficiaries of United Nations system activities and programmes; determining whether these activities and programmes are being conducted as efficiently and effectively as possible to meet the interests of Member States is the ultimate reason for having external oversight mechanisms.

4. This essential leading role of Member States means that leadership, guidance and targeting from legislative organs are conditions sine qua non for meaningful, effective and strong external oversight mechanisms. Certainly the external oversight units have an obligation to identify issues that they believe may be of concern to Member States, but the intergovernmental bodies need to respond to such suggestions and be willing to guide and target the external oversight units on those issues of particular concern to Member States, and they need to devote attention and sufficient time for the consideration of the outputs of the external oversight units.

5. Furthermore, it is of paramount importance that Member States give a clear message to the secretariats of participating organizations that the external oversight units enjoy their strong support, and that these units are exercising oversight functions on behalf of Member States. Only in this way can it be expected that the secretariats will take the external oversight units seriously, which is required to create a proper environment for overcoming resistance to the implementation of certain recommendations.

6. Related to giving the secretariats of participating organizations a clear message of support from Member States for the external oversight mechanisms is the matter of assuring their appropriate independence from the secretariats. Article 7 of the JIU Statute provides that the Inspectors should discharge their duties in full independence and in the sole interest of the organizations. The Inspectors believe this independence implies what is a prerequisite for any oversight function, i.e., administrative and budgetary operational independence from the secretariat officials whose work is being overseen. The importance of this for oversight mechanisms has been recognized, for example, in General Assembly resolution 48/218 B of 29 July 1994, in which the Assembly stated that the Office of Internal Oversight Services should exercise operational independence.

7. As a consequence, in terms of operational independence regarding administrative matters, the Secretary-General's Bulletin on the establishment of the Office of Internal Oversight Services (ST/SGB/273) delegates to the Office authority for certifying all accounts of the Office (para. 32) and for exercising "the degree of latitude and control over the personnel and resources of the Office, consistent with the Staff Regulations and Rules of the United Nations and the Financial Regulations and Rules of the United Nations, that is necessary to achieve the objectives of the Office" (para. 34). Regarding budgetary matters, the Bulletin provides that, in presenting programme budget proposals for the Office to the General Assembly, "the Secretary-General shall take into account the need to ensure its operational independence and the appropriation of resources for the effective functioning of the Office" (para. 30). Further assuring the independence of the Office, the Under-Secretary-General for Internal Oversight Services has the right to include in his annual report to the General Assembly "comment on the scope of his activities and the adequacy of resources for the purpose intended" (para. 28).

8. The Inspectors believe that similar operational independence is required for all oversight mechanisms, in particular for the external oversight mechanisms like the Unit. Administrative, budgetary and financial arrangements for the Unit are established by articles 16 to 20 of the JIU Statute. It is the view of the Inspectors that the operational independence of the Unit has been compromised in practical terms by the Secretary-General's interpretation of article 20, especially. This article provides that the Unit's budget estimates should be established by the Secretary-General after consultation with the Administrative Committee on Coordination on the basis of proposals made by the Unit. The budget estimates should be submitted to the General Assembly together with the report thereon by the Administrative Committee on Coordination and with the comments and recommendations of the Advisory Committee on Administrative and Budgetary Questions. The Unit should be invited to be represented at meetings when its budget estimates were being discussed.

9. The fact that the Secretary-General provided no explanation to either the Unit or the General Assembly for including in his proposed 1996-1997 budget estimates for the Unit a request lower than that submitted by the Unit demonstrates the Unit's lack of operational independence from the Secretariat in regard to its budgetary and personnel resources. This has been compounded by the fact that the Secretary-General so far has disregarded the comments and recommendations of the Advisory Committee on Administrative and Budgetary Questions for enhancing the Unit, endorsed by the General Assembly in its resolution 50/214 of 23 December 1995, and calls by the General Assembly in the same resolution for him to consult with the Unit on proposals for strengthening the Unit's secretariat which should be reflected in the revised estimates for 1996-1997.

10. The Unit's interpretation of the procedure called for in article 20 is that its original proposals should be submitted to the General Assembly together with the comments of the Secretary-General and the Administrative Committee on Coordination, through the Advisory Committee on Administrative and Budgetary Questions. This would enhance the independence of the Unit from the secretariats of the participating organizations, but still assure the Member States their full prerogative for making final budget decisions on the basis of being fully informed of the view of both the Unit, the secretariats and the Advisory Committee on Administrative and Budgetary Questions. The consultation process described in article 20 should help clarify any discrepancy and facilitate a better understanding before the JIU proposals are taken up by the Advisory Committee on Administrative and Budgetary Questions and the United Nations General Assembly.

11. In order for external oversight units to exercise the role expected of them, Member States need to determine and provide the appropriate resource requirements for them in view of their mandate and scope of activities. With regard to the Unit, the Inspectors have indicated the need for additional staff but, despite repeated calls from the General Assembly for strengthening external oversight mechanisms and for strengthening the Unit in particular, the Secretary-General's budget estimates have not provided for such strengthening. Even more disturbing is the fact that, without any prior consultation or participation of the Unit (as stipulated in article 20 of the JIU Statute), the Consultative Committee on Administrative Questions (Financial and Budgetary Questions) at its eighty-fifth session (ACC/1996/15) has recommended to the Administrative Committee on Coordination a reduced 1998-1999 budget level for the Unit.

12. Ultimately, of course, the effectiveness of an external oversight mechanism depends on the quality of its personnel. For JIU, the selection and appointment of Inspectors is a matter for Member States to decide. The Unit itself has stated (e.g., its 1995 annual report) b/ that its overall performance and impact could be further enhanced if, among other things, the individual Member States that propose candidates and the General Assembly take the necessary action to ensure that the Inspectors selected meet the qualifications stipulated in article 2 of the JIU Statute. Also important is the need to secure the independence of JIU staff assisting the Inspectors. This is an area where improvement is needed to eliminate possible ambiguities as to whom such staff members owe their allegiance, thus avoiding a potential conflict of loyalties.

A correct interpretation of their status should be that such staff are appointed by the Secretary-General - and that the Staff Regulations and Staff Rules of the United Nations apply to them - but they are working for and accountable to the oversight body to which they are assigned. In addition, practical and effective safeguards need to be established to ensure that their professional careers will not be affected adversely. In this regard, the Unit believes that delegating to it the same authority for control of personnel that now is delegated to the Office of Internal Oversight Services (see para. 7 above) would help.

Secretariats of participating organizations

13. The work of external oversight mechanisms must be done in close cooperation with the secretariats of participating organizations. This is true especially for the preparation of JIU reports, in view of the size of the JIU secretariat and the nature of its reports. Thus, indispensable to strengthening the effectiveness and impact of JIU is the unreserved cooperation of the secretariats of participating organizations in the formulation of its work programme, the preparation of its reports, the presentation of its reports to legislative organs and the implementation of its recommendations approved by legislative organs.

14. Cooperation begins with the formulation of the JIU programme of work. In an effort to help assure the relevance of its reports, before drawing up its work programme each year, the Unit requests all secretariats of participating organizations to suggest topics to be included. Furthermore, when the JIU annual programme of work is circulated officially, it also includes a tentative list of topics being considered for the subsequent years. This is another good occasion for the secretariats, as well as Member States, to convey to the Unit whatever comments they might have to offer on topics for reports.

15. Improved coordination within the secretariats of the individual organizations, as well as within the Administrative Committee on Coordination, would help further to assure the relevance of the JIU programme of work to priorities of the common system collectively identified at the inter-secretariat level. In this regard, the Unit has officially presented to the secretariats of its participating organizations two proposals:

(a) Suggestions submitted to the Unit by the secretariats should, in all cases, be approved directly by the executive heads concerned, as envisaged in article 9 of the Statute, to avoid past situations where suggestions received did not always represent the concerns and priorities of the entire organizations;

(b) The Administrative Committee on Coordination and its subsidiary bodies should be more involved in suggesting topics for reports of concern to the system as a whole, and/or in coordinating the suggestions of individual members of the Administrative Committee on Coordination as already proposed by the Consultative Committee on Programme and Operational Questions.

16. In the actual preparation of JIU reports, the quality and timeliness of inputs from the secretariats is critically important. Full cooperation extended

to Inspectors in the course of their work, and timely responses to JIU requests for information and for comments on draft texts, are required in order to allow the well-timed issuance of reports. In this regard, it should be remembered that the secretariats have full opportunity to comment on the draft reports well before they are issued as official documents. It is the Unit's policy to give full and serious consideration to the comments provided by the secretariats, and to incorporate those comments in reports to the extent possible. In the event that the secretariats believe their views are not reflected appropriately in the final reports, the reporting procedure envisaged in article 11 of the JIU Statute assures a further opportunity for the executive heads to present their comments directly to their legislative organs together with the JIU reports.

17. Once reports are issued by the Unit, it is most important that they be brought to the attention of Member States in a full and timely fashion. Member States need to receive full copies of the reports accompanied by frank and specific comments from the secretariats rather than just secretariat summaries and light commentaries on them, as is the practice within some participating organizations. Furthermore, the preparation of official comments on the reports from the secretariats within the time-frames specified by article 11 of the JIU Statute is necessary in order to avoid legislative organs from being asked to take action on JIU reports after they have become outdated.

18. The final step in assuring the impact and effectiveness of JIU is the actual implementation of JIU recommendations approved by legislative bodies. Article 12 of the JIU Statute provides that executive heads of organizations shall ensure that recommendations of the Unit approved by their respective competent organs are implemented as expeditiously as possible. Within the framework of this article, consideration could be given to calling for all executive heads to submit regularly to their respective legislative bodies detailed annual or biennial reports on the status of implementation of approved JIU recommendations.

Joint Inspection Unit

19. While calling for leadership and support from Member States, the Inspectors at the same time are fully aware that such support needs to be earned through the relevance of their work and the contributions their reports make to improving the management effectiveness and efficiency of the United Nations system. The Unit has taken measures towards this end and continues to seek further improvements. These measures also will serve to provide incentives for the increased cooperation from the secretariats that is so important.

20. The improvement of the quality of any output is a continuous process. As indicated in its 1995 annual report, c/ "The Unit welcomes constructive criticism supported by objective analysis of its reports". In the context of shared responsibility for the impact of JIU reports, as called for in the General Assembly resolution cited above, the Unit looks forward to working with the Member States and the secretariats on improvements in the way its reports are prepared and handled.

21. The Unit's efforts to gain the benefit of suggestions for its programme of work from the secretariats of participating organizations, as well as from Member States, are indicated in paragraph 14 above.

22. Therefore, even though article 9 of the Statute calls for the Unit ultimately to decide on its programme of work, the Member States and the secretariats do share responsibility for ensuring the relevance of JIU reports to their interests and mandates since they have such ample opportunity to make their views known.

23. The Unit has been seeking to improve the process of selecting subjects for its programme of work and it believes that the items included now better reflect the concerns and interests of Member States. In fact the General Assembly in its resolution 48/221 of 23 December 1993 expressed appreciation of the efforts of the Unit aimed at improving its programming methods, output and quality of work. Nevertheless, the Unit would like to continue to work with the Member States and the secretariats to make further improvements in the selection process.

24. The Unit has revised and updated its internal standards and guidelines in order to ensure that inspections, evaluations and investigations are conducted as effectively as possible. These standards and guidelines are attached to the 1996 annual report of JIU d/ to assure a fuller understanding throughout the United Nations system of how JIU conducts its work. They will be complemented by detailed internal procedures.

25. The Unit recognizes the concerns of the secretariats about being overloaded with requests from the various external and internal oversight bodies. The Unit is making increased use of information technology and developing internal procedures to avoid requests to the secretariats when possible. For this purpose, the Unit would like to arrange with the secretariats to make available on a timely basis all relevant published documents and information the organizations maintain, including those on line. The Unit also would like to explore with the subsidiary machinery of the Administrative Committee on Coordination the possibility of gaining access to whatever relevant system-wide information systems they have available and/or of developing new on-line information sources that would be accessible to all oversight bodies, as well as the different organizations of the common system.

26. The avoidance of duplication with other bodies is a matter of concern to the JIU and, therefore, it endeavours to coordinate its programme of work, to the extent possible, with other external oversight bodies, and also with internal oversight bodies. The Unit believes that more attention and effort should be devoted to developing practical cooperation, coordination and mutual support among external and internal oversight bodies. As called for in paragraph 7 of General Assembly resolution 48/221, JIU seeks to maintain a close relationship with the Committee for Programme and Coordination, the International Civil Service Commission, the Advisory Committee on Administrative and Budgetary Questions, the Board of Auditors, the Panel of External Auditors and organizations and bodies within the United Nations system in order to ensure greater and more cost-effective coordination of their respective activities for

the promotion of management efficiency, greater accountability and transparency of the United Nations and other participating organizations.

27. Cooperation among external oversight bodies should be defined more precisely; it should be seen as more than mere avoidance of overlap and duplication. Oversight organs should develop the practice of undertaking complementary projects, and also consider implementing larger and complex oversight projects with agreed and shared responsibilities. What is needed is to move from the present approach of stressing and protecting the independence of each oversight body and their separate mandates, and to develop a culture of positive cooperation among these bodies.

28. The mandates of the different external and internal oversight bodies have been approved by the Member States. Any duplications among these bodies is a potential problem extending well beyond JIU, and the Unit should not be singled out to bear responsibility for whatever unnecessary duplication may exist. The Unit also notes that the difference between the external and internal oversight functions and the need to ensure respect for their separate and distinct roles have been emphasized by Member States (see para. 6 of section II of General Assembly resolution 48/218 A; the sixth preambular paragraph of General Assembly resolution 48/218 B; and the second preambular paragraph of General Assembly resolution 50/233).

29. At the request of the secretariats of the United Nations, the World Meteorological Organization and the International Civil Aviation Organization, the Unit has included in its programme of work for 1996-1997 provision for a report on the coordination and harmonization of the work of the oversight bodies of the United Nations system.

Conclusion

30. The 'added-value' of JIU recommendations, and recommendations of other oversight mechanisms as well, can be measured only through their implementation, which depends on their approval by the legislative organs and their actual implementation by the secretariats. Thus, deriving 'value for money' from their investment in the Unit and other oversight mechanisms ultimately depends on the organizations themselves. In this regard, the Unit welcomes the treatment given its recommendations during the one hundred and forty-ninth session of the Executive Board of the United Nations Educational, Scientific and Cultural Organization and the thirty-fourth session of the Committee for Programme and Coordination, at which detailed actions were taken on all of the recommendations contained in the reports considered by these organs.

31. The Unit reiterates its earlier conclusion (see the views of JIU included in the Secretary-General's report of 30 November 1994 (A/49/633) and para. 84 of its 1994 annual report) e/ that a general weakness of oversight mechanisms is the fragmented, unclear and weak provisions for compliance with and follow-up on approved recommendations. The Unit believes this is a matter that requires urgent attention.

32. The Unit looks forward to working together with Member States and the secretariats of the participating organizations on this urgent matter and other measures to increase further the impact of the Unit and other oversight mechanisms on the cost-effectiveness of United Nations system activities.

Notes

a/ Official Records of the General Assembly, Forty-ninth Session, Supplement No. 34 (A/49/34), paras. 44-93.

b/ Ibid., Fiftieth Session, Supplement No. 34 (A/50/34, para. 3).

c/ Ibid., para. 57.

d/ To be issued as A/51/34.

e/ Ibid., Forty-ninth Session, Supplement No. 34 (A/49/34).

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/51/675
13 November 1996
ENGLISH
ORIGINAL: CHINESE

Fifty-first session
Agenda item 29

COOPERATION BETWEEN THE UNITED NATIONS AND THE INTER-PARLIAMENTARY UNION

Letter dated 31 October 1996 from the Permanent Representative of China to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith the text of three resolutions, entitled "Promoting greater respect and protection of human rights in general and in particular for women and children", "Worldwide ban on anti-personnel mines and the need for mine clearance for humanitarian purposes" and "Policies and strategies to ensure the right to food in this time of globalization of the economy and trade liberalization", which were adopted in Beijing on 20 September 1996 by the 96th Inter-Parliamentary Conference (see annexes I, II and III, respectively).

I would be grateful if you could have the present letter and its annexes circulated as an official document of the General Assembly under agenda item 29.

(Signed) QIN Huasun
Ambassador Extraordinary and Plenipotentiary
and Permanent Representative of the People's
Republic of China to the United Nations

ANNEX I

[Original: English and French]

Resolution adopted without a vote on 20 September 1996 by the 96th Inter-Parliamentary Conference of the Inter-Parliamentary Union, held in Beijing

Promoting greater respect and protection of human rights in general and in particular for women and children

The 96th Inter-Parliamentary Conference,

Emphasizing the responsibility of all nations, in the spirit of the Charter of the United Nations, to promote and encourage respect for the human rights and fundamental freedoms of all people, regardless of race, colour, sex, language, religious belief or social position,

Bearing in mind the aim of the Universal Declaration of Human Rights and other relevant international human rights instruments, namely to promote and protect human rights and fundamental freedoms - civil, political, economic, social and cultural rights,

Noting with satisfaction that the Vienna Declaration and Programme of Action reiterate that the right to development is a universal and inalienable right and an integral part of human rights,

Reaffirming that efforts to promote and protect human rights should be consistent with the purposes and principles of the United Nations Charter and international law,

Underlining that the current world economic order is still unjust, and therefore hinders the realization of human rights and fundamental freedoms and adversely affects women and children in particular,

Expressing deep concern about the deterioration of living conditions in developing countries which deprives their inhabitants of full enjoyment of their human rights and, in particular, about the harmful effects of economic hardship and a heavy foreign debt burden on the developing countries,

Recalling that the Vienna Declaration and Programme of Action emphasize that the human rights of women and children are an indispensable and inalienable part of universal human rights,

Recalling:

- The Declaration and Plan of Action on the Survival, Protection and Development of Children adopted at the World Summit for Children which stress special protection for children,

- The commitments, especially concerning full respect for all human rights, fundamental freedoms and non-discrimination, set out in the Declaration and Programme of Action adopted by the World Summit for Social Development held in Copenhagen in March 1995,

Recalling further the successful work of the United Nations Fourth World Conference on Women held in Beijing from 4 to 15 September 1995, as well as the Beijing Declaration and Platform for Action adopted by the Conference,

Convinced that the Beijing Declaration and Platform for Action will contribute to eliminating discrimination against women and raising the social status of women in the world, and *considering* that all governments, UN bodies, parliaments of all nations, non-governmental organizations, public and private organizations should give effect to them,

Recognizing that the UN Convention on the Elimination of All Forms of Discrimination Against Women and the UN Convention on the Rights of the Child are important international human rights instruments for the promotion and protection of the rights of women and children,

Conscious that while some countries have made tangible efforts to attain equality between men and women and achieved noticeable results, others have failed to make adequate efforts, with the result that inequality between men and women is still common and much remains to be done,

Deeply concerned at the many forms of discrimination and violence against women and children resulting from poor social and economic conditions, natural disasters, armed conflict, economic and sexual exploitation, terrorism and drug trafficking, illiteracy, hunger, intolerance and disability in many parts of the world, requiring nations and the international community to take immediate and effective remedial measures consistent with the UN Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination Against Women,

Aware that the number of economically exploited children has increased substantially over the last five years and that their working conditions have seriously deteriorated, resulting in greater physical, emotional and mental suffering,

Conscious that the causes of child labour are primarily rooted in poverty created by social and economic inequality as well as in insufficient educational facilities,

Recognizing that people with disabilities, in particular children, face additional barriers to the equal enjoyment of human rights,

Reaffirming the principle set out in the Vienna Declaration and Programme of Action that efforts to solve the problems concerning children, in particular the girl child, should give priority to non-discrimination and the best interests of children, and take account of the opinions of children,

Welcoming the Declaration on the Elimination of Violence Against Women which emphasizes that violence against women constitutes infringement upon, hindrance to and denial of the human rights and fundamental freedoms of women,

Noting with concern that there are many political prisoners and displaced persons as a result of terrorism and armed conflict in the world and that they include women and children,

Recalling the resolution on sexual violence against women adopted by the UN Commission on Human Rights on 21 August 1996 in Geneva,

Drawing attention in particular to the following texts adopted by the Inter-Parliamentary Conferences:

- Resolution on the protection of the rights of children (Budapest, March 1989);
- Resolution on policies to put an end to violence against children and women (Pyongyang, May 1991);
- Plan of Action to correct present imbalances in the participation of men and women in political life (Paris, March 1994);
- Resolution on parliamentary action for women's access to and participation in decision-making structures aimed at achieving true equality for women (Madrid, April 1995);
- Resolution on strategies for effective implementation of national and international commitments adopted at the World Summit for Social Development in Copenhagen (Bucharest, October 1995),

1. *Calls on* all governments to intensify their efforts to remove obstacles to the realization of human rights and fundamental freedoms, to strengthen international co-operation, to promote mutual understanding through dialogue and to promote and protect human rights on the basis of equality and mutual respect;

2. *Also calls on* all States to establish or, where they already exist, to strengthen national institutions for the promotion and protection of human rights and to ensure that these institutions are independent of government, have a reliable source of financing, are pluralistic and represent those in society involved in the promotion and protection of human rights, are empowered to comment on the human rights performance of the government and are active in human rights education;

3. *Further calls on* all governments and UN bodies to strengthen their co-operation, consider the best ways and means of implementing the Declaration on the Right to Development, foster progress in the attainment of this right and pay special attention to the condition of women and children;

4. *Urges* the governments of the industrialized countries to end cuts in official development assistance and instead to aim at the target set by the United Nations (from 0.7 percent to 1 percent of GNP), in view of the fact that poverty is often the cause of the difficult human rights situation of women and children;

5. *Calls on* all countries, UN bodies, the World Trade Organization, the World Bank and the International Monetary Fund to take appropriate action to reevaluate their policies, readjust the current international economic order and establish fair and just relations between all countries of the world;

6. *Emphasizes* the need for creditor countries to take effective measures to cancel or reduce the debt burden of developing countries and eventually solve their debt problems;

7. *Urges* all governments to promote the protection of the human rights of women and girls by taking effective measures to implement fully the Beijing Declaration and Platform for Action (September 1995), and all parliaments to follow up on

the commitment they undertook in the Beijing Parliamentary Declaration to implement the recommendations of the Beijing Conference;

8. *Appeals* to countries which have not yet done so to accede to or ratify as soon as possible the UN Convention on the Elimination of All forms of Discrimination Against Women and the UN Convention on the Rights of the Child, and *urges* the States parties to these instruments to take all necessary legislative, administrative and other measures to implement the above Conventions effectively;

9. *Urges* all countries to formulate and implement their plans of action according to the UN Convention on the Rights of the Child and the Declaration and Plan of Action on the Survival, Protection and Development of Children so as to protect and promote the rights of the child by strengthening international co-operation, giving priority, *inter alia*, to reducing infant mortality, child malnutrition and the rate of illiteracy, providing children with safe and clean drinking water, health care and sanitation, and basic education, and solving the problems of children who live in absolute poverty;

10. *Calls on* the parliaments and governments of the countries concerned and the international community to take emergency measures to protect the rights of the child and particularly those of girls, abandoned children, street children, children who are victims of economic and sexual exploitation, including child pornography, child prostitution or trafficking in human organs, trafficking in children for purposes of adoption, children suffering from diseases including AIDS, refugee and displaced children, detained children, children suffering owing to armed conflict, famine, drought or harm caused by other emergency situations;

11. *Strongly condemns* the conscription and recruitment of children in armed forces or armed groups (especially when these are forced), as a violation of fundamental human rights requiring the punishment of those responsible for such heinous acts;

12. *Recommends* that parliaments and governments adopt and implement a programme setting out standards for the protection of women and children living in zones of national or international conflicts, of which they are the main victims, as has been proven on many occasions;

13. *Appeals* to all governments to use more effective measures, such as targeted education programmes and the provisions of criminal law, as well as police co-operation and co-operation with the media, tour operating companies and Internet and other network operators etc., to ensure that child prostitution and child pornography are consistently condemned and eliminated by society on a global scale;

14. *Commends* the holding of the First World Congress against Commercial Sexual Exploitation of Children (Stockholm, 27-31 August 1996), and *calls on* parliaments and governments to take action to support the Declaration and Agenda for Action by enacting legislation to implement their recommendations;

15. *Calls on* national parliaments, governments and the international community to initiate an open in-depth debate with a view to the adoption of measures that will tackle the root causes of child labour, *inter alia* by means of specific strategies

and long-term programmes designed to address all causal factors of this complex issue;

16. *Urges* national parliaments and governments to ensure the provision of compulsory primary education and health care which are accessible to all and relevant to the individual child, paying particular attention to the inclusion of girls and children from marginalized groups;

17. *Calls on* States to recognize the important and constructive role that non-governmental organizations can play and to support their efforts aimed at enhancing promotion and respect of human rights;

18. *Also calls on* States where appropriate to provide advisory and technical services, to send on-site missions of experts to States that request them as well as to assist States to find ways and means to implement the rights set out in international legal instruments;

19. *Requests* the United Nations to consider the implications of trade-related sanctions with a view to addressing their negative impact on women and children;

20. *Rejects* any coercive or unilateral measures, whether political or legal, applied by one country against another, since such measures ultimately penalize men, women and children who are alien to political controversies and interests and should therefore be regarded as an infringement of human rights;

21. *Calls on* parliaments and governments worldwide to strongly condemn and combat drug production and trafficking and terrorism, as their destructive action begins with children and through them, affects society as a whole;

22. *Also calls on* parliaments and governments to introduce programmes of positive action and education to ensure non-discrimination and equal enjoyment of human rights in accordance with standard rules on the equalization of opportunities for persons with disabilities, in particular women and children;

23. *Appeals to* all countries to settle disputes and differences peacefully through negotiations, to make concerted efforts to promote economic and social development and to create an environment conducive to the full enjoyment of human rights, particularly by women and children;

24. *Strongly condemns* sexual violence including in armed conflicts, particularly the use of rape as an instrument of terror, forced prostitution and all other forms of sexual aggression, *recommends* that all parliaments and governments take emergency action to confront and eliminate all forms of violence against women and girls; and *recommends* that the United Nations further extend the powers of the international tribunals to ensure that States and individuals are held accountable for such crimes;

25. *Calls on* States to exercise diligence to make sure that violence is not occurring in the home and schools and to stop invoking customs, traditions or religion to avoid their obligation to eliminate violence against women and children;

26. *Recommends* that all parliaments and governments provide constitutional guarantees, promulgate and implement proper laws to prohibit sexual discrimination against all women and girls of all ages, including at the workplace

and in school programmes and textbooks, and ensure that women enjoy rights equal to those of men and fully exercise these rights;

27. *Urges* governments to end forced sterilization of women and forced abortion, which in all cases constitute a grave violation of the woman's personal integrity and in some cases are also used for suppressing peoples and minorities;

28. *Requests* all countries to reflect the principle of equality between men and women in their legislation and take effective measures to guarantee the implementation of this principle;

29. *Also requests* the parliaments of all countries to:

- Examine their national legislation, including customary law and legal practice regarding, *inter alia*, the family, civil matters, crime, labour and commercial activities, to ensure that the principles governing international human rights instruments are implemented through national legislation, abolish any existing laws based on sexual discrimination and eliminate sexual discrimination in all areas of society;

- Pursue efforts towards the establishment of family-friendly societies in order to promote the rights of members of the family, especially the rights of women and girl children in accordance with UN General Assembly resolution 50/142: Follow-up to the International Year of the Family;

30. *Urges* parliaments and governments to devise comprehensive human rights education programmes, enlisting the assistance of political circles (governments, national and local politicians, administrations) as well as all the players in civil society (families, teachers, students, media, associations), and to ensure that such programmes are implemented as part of the education system and relayed to all areas of social life;

31. *Requests* all countries to implement education curricula which include programmes for eliminating ignorance of the law and to make use of the media, in order to help women to understand their rights and exercise them through the legal system;

32. *Appeals* to parliaments and governments to condemn, and to take all possible action to ban, prostitution and pornography and to enact legislation prohibiting their dissemination through the media;

33. *Calls on* parliaments and governments to develop co-operation and the exchange of experience between women representatives from international intergovernmental and non-governmental organizations operating in different fields, in order to promote the rights of women in the family and society;

34. *Requests* all parliaments and governments to have translated into the native languages of their countries international legislation and other material concerning human rights and especially the equality of the status and human rights of women, and to ensure the most extensive dissemination of this material in order to heighten women's awareness of their rights.

ANNEX II

[Original: English and French]

Resolution adopted without a vote* on 20 September 1996 by the 96th Inter-Parliamentary Conference of the Inter-Parliamentary Union, held in Beijing

Worldwide ban on anti-personnel mines and the need for mine clearance for humanitarian purposes

The 96th Inter-Parliamentary Conference,

Concerned that the widespread use of landmines is a considerable obstacle to the establishment of conditions for peace within and between States previously in conflict, as well as in States whose territories were the scene of an international conflict,

Acknowledging that landmines continue to disrupt refugee settlement, agricultural development and reconstruction of basic communications and transportation infrastructures long after armed conflict has ended,

Aware that the widespread loss of life and injury caused by landmines perpetuate inter-community and inter-State tensions,

Aware also of the tremendous loss of life and destruction that such weapons inflict on economies, especially those of young countries, which need all their human resources to win the battle for development,

Concerned that there are over 110 million anti-personnel mines laid in more than 60 countries - most of them in the developing world - and that a further 100 million remain in national stockpiles,

Deploring the fact that every year some 10 million anti-personnel mines are produced, and *condemning* the fact that 2 million new mines are laid annually, whereas mine clearance operations account for the removal of no more than approximately 100,000 mines a year,

Appalled at the fact that landmines have maimed at least 250,000 people in the world and kill more than 10,000 people each year, more than 90 per cent of whom are civilians, mostly women and children,

Aware of the dangers of landmines for peacekeeping and humanitarian operations, and *deploring* the fact that 42 persons engaging in such activities have been killed and 315 injured,

---

* The Chinese delegation expressed a reservation to operative paragraph 1, while the Cuban, Libyan and Vietnamese delegations expressed reservations to the text as a whole.

Noting that a further danger of anti-personnel mines is that their low cost of manufacturing (US$ 3-5 per mine) makes them affordable to even the poorest countries, and *pointing out* that, by contrast, the human and financial cost of mine clearance is particularly high (US$ 900-1000 per mine),

Convinced that mine clearance and support measures, namely the re-establishment of security and the facilitation of reconstruction measures in affected areas, require international solidarity and greater involvement of the States affected by the landmine problem, as well as understanding and co-operation on the part of States responsible for laying them,

Welcoming the contributions already made by States to mine clearance, and the notable achievements of many international and non-governmental organizations in tackling the mine problem worldwide, especially the International Committee of the Red Cross (ICRC) and the National Red Cross and Red Crescent Societies,

Acknowledging the efforts of the Review Conference of the 1980 United Nations Convention on Prohibition or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCW), as well as United Nations General Assembly resolution 50/70(0) of 12 December 1995,

Recalling the contribution of the Inter-Parliamentary Union to promotion of international humanitarian law and a total ban on anti-personnel mines, particularly the resolutions on these subjects adopted at the 90th, 93rd and 94th Conferences,

Welcoming the unilateral steps taken by a number of States to ban the production, stockpiling, transfer and use of anti-personnel mines,

Concerned that, often, the instability of the terrain in which landmines are laid makes their location and removal or deactivation impossible,

1. *Calls on* parliamentarians to urge their governments to ban anti-personnel mines, develop comprehensive programmes for destroying existing stockpiles and support international efforts to achieve a binding international agreement on a global ban;

2. *Also calls on* States to accede at least to revised Protocol II (landmines) of the CCW which was adopted on 3 May 1996 at the Review Conference in Geneva;

3. *Further calls on* States to accede to Protocol IV (Blinding Laser Weapons) of the CCW;

4. *Urges* those States which are not yet parties to the CCW to take the necessary steps to accede to it, and *calls on* all States to strengthen and promote universal adherence to that instrument;

5. *Requests* the United Nations to strengthen its efforts to secure the elimination of anti-personnel landmines;

6. *Calls on* the international community, in the meantime, through the United Nations, to draw up an international register of transfers of and trade in anti-personnel mines;

7. *Welcomes* the establishment in September 1994 of the United Nations Voluntary Trust Fund for Assistance in Mine Clearance, and *calls on* the international community to provide ongoing financial support since present funding is inadequate, only US$ 20 of the 75 million sought having been so far made available;

8. *Calls on* States to provide financial assistance for mine clearance on a bilateral and multilateral basis, take measures to raise awareness of the dangers of landmines and train mine-clearance personnel;

9. *Urges* States with expertise in mine clearance to provide technical assistance and advice to countries requiring them and to develop local mine-clearance capabilities in these countries, and *recommends* to this end the following support measures:

   (a) Development of training in mine detection, mine clearance and munitions destruction for former soldiers or other suitable personnel in the affected areas, which will also facilitate their reintegration following demobilization;

   (b) Participation in programmes to catalogue, map and mark mines and minefields;

   (c) Exchange of data with landmine documentation centres and exchange of information on mines and explosive devices that have been planted during conflicts after the cessation of hostilities;

   (d) Initiation of and support for programmes to raise awareness and educate local populations;

   (e) Promotion of integrated programmes to provide assistance for landmine victims (setting-up and funding of orthopaedic workshops and surgery centres, rehabilitation of landmine victims);

   (f) Support of non-governmental organizations in such activities and improvement of the conditions under which they operate in the countries concerned;

   (g) Promotion of technical improvements to maximize the effectiveness of mine detection and humanitarian mine-clearance operations and the ensuring of the fullest possible exchange of equipment for this purpose;

10. *Calls on* States to assist humanitarian organizations such as the International Committee of the Red Cross (ICRC) and the National Red Cross and Red Crescent Societies in their activities, particularly their current programmes to make the civilian population aware of the dangers posed by mines, and in providing aid to the victims of anti-personnel mines;

11. *Notes* the important work being done by the IPU's *Ad Hoc* Committee to Promote Respect for International Humanitarian Law (IHL), especially the survey it is conducting on parliamentary action to ensure application at the national level of IHL and of the IPU's recommendations concerning anti-personnel mines, *thanks* those Parliaments which have already replied, and *urges* all IPU members which have not yet done so to supply promptly the information requested;

12. *Calls* for the IPU, in conjunction with other international organizations, to work towards a comprehensive ban on anti-personnel mines.

ANNEX III

[Original: English and French]

Resolution adopted by consensus on 20 September 1996 by the 96th Inter-Parliamentary Conference of the Inter-Parliamentary Union, held in Beijing

Policies and strategies to ensure the right to food in this time of globalization of the economy and trade liberalization

The 96th Inter-Parliamentary Conference,

Recalling Article 25(1) of the Universal Declaration of Human Rights which states that "Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food...",

Noting with concern that close to 800 million people in developing countries suffer from chronic undernutrition, and almost 200 million children under five from protein and energy deficiencies and that as many as 88 nations fall in the category of low-income food-deficit countries, and *also noting with concern* that the problem of food shortages has worsened since the 1974 World Food Conference, particularly in recent years, and that no tangible progress has been made in achieving the main goal of that Conference,

Taking note of the recommendations and resolutions adopted by United Nations conferences concerning development and food security, particularly the Programme of Action adopted by the World Food Conference (1992), the Programme of Action adopted by the International Conference on Population and Development (1994) and the principles adopted at the World Summit for Social Development (1995),

Expressing the hope that, at the World Food Summit due to take place in Rome in November 1996, world leaders, addressing the problem of food security at the highest level, will elaborate effective policies and strategies,

Underscoring that the grave situation that has arisen from the drop in world food production, the exhaustion of a great many stocks and the fall in food supplies to a level which is close to being critical for food security, is a threat to all countries and in particular the developing ones,

Stressing the need for a global assessment of food and agricultural problems, in particular in the developing countries, which takes account of the short- and long-term risks of conflict,

Recognizing that food insecurity and poverty are fundamentally interrelated and must be addressed within a broad framework that encompasses social concerns and economic growth,

Also recognizing the negative effects that distortionary agricultural policies have had on agricultural production, investment and trade, and food security,

Convinced that women play a key role, especially in the agricultural sector of the developing countries, and that their empowerment would therefore significantly contribute to improving food security,

Acknowledging the role of trade in promoting economic growth and in providing the wherewithal for poverty alleviation and the capacity to secure food supplies,

Deeming that the persistently difficult economic situation in many countries, especially the unfavourable trends in the food and agricultural sectors, calls for forceful measures at the national and international level with a view to promoting and ensuring economic recovery and development,

Recognizing that stepping up food production, in particular in net food-importing developing countries, improves food self-sufficiency and is therefore very important to the achievement of food security,

Concerned at the persistent difficulties which the majority of developing countries are experiencing owing to a number of insoluble problems such as unfavourable long-term trends in international commodity prices, protectionism, deteriorating terms of trade, the growing debt servicing burden, the imbalance between net transfers of resources to and from developing countries, all of which have had a deleterious effect on international trade and agriculture,

Noting that the Uruguay Round results recognize, in particular in the Marrakesh Ministerial Decision on Least Developed and Net Food-Importing Countries, that, despite the positive impact of economic growth and trade liberalization on overall food security, the reform process could adversely affect some least developed net food-importing countries in the short term, and *emphasizing* that the phasing-out of the subsidies which the developed countries grant for agricultural products can have grave consequences,

Expressing its concern at the current decline in donations, official development assistance and foreign aid, particularly to the agricultural sectors of the developing countries,

Stressing that the world's current main food and agricultural problems have a number of root causes, including weak overall development, particularly in the agricultural and rural sectors, population growth, inadequate purchasing power, poverty and poor distribution systems, challenges to food supplies from civil strife, harvest failure and other unforeseen occurrences, as well as the absence of a favourable economic climate, all of which are reflected by a lack of food security,

1. *Stresses* the absolute need to encourage and increase food production in the developing countries, particularly in Africa and in the least developed countries, in order to promote their economic growth and social progress and to contribute actively to solving the problems of hunger and malnutrition;

2. *Recommends* that the developing countries, in their national efforts, give higher priority to supporting food production and setting up the necessary structures for efficient marketing and distribution, which in turn will create jobs, in order to ensure an adequate food supply and the equitable distribution of foodstuffs;

3. *Calls on* the developing countries to endeavour to accelerate industrialization and diversify their economic structures with a view to increasing agricultural and food production, *stresses* in this connection the importance of financing investment in the agricultural sector, an objective which must be included in international co-operation policies and programmes at the bilateral and

multilateral levels, and *urges* governments to participate in the Microcredit Summit to be held in Washington, D.C. in February 1997 where plans for financing agricultural and other development will be considered;

4. *Urges* the international community to support training in scientific and technological research in the developing countries with a view to promoting sustainable agricultural development in those countries, and *stresses* the need to strengthen international co-operation for the transfer of environmentally sound agricultural technologies and to facilitate the open exchange of information concerning experiments and technologies relating to the production, processing and storage of foodstuffs;

5. *Calls on* the members of the international community to restructure the foreign aid and assistance allocated to the developing countries as well as investment in the development of their food production so that they are used for ensuring food supply in the recipient countries, by including food aid in social protection programmes, in order to guarantee that the problem of hunger - an obstacle to overall development is dealt with;

6. *Stresses* the need to supplement emergency food aid with additional aid for recovery and development with a view to helping the countries affected to rebuild their food-production capacity;

7. *Calls on* States to ensure that food is distributed to those in need without political interference;

8. *Also calls on* States to authorize inspection by donor agencies or groups handling food distribution;

9. *Calls* for the introduction of national policies and programmes that pave the way for environmentally sound agricultural development, rural economic development and sustainable natural resource management with a view to rapidly alleviating poverty in rural areas and the lack of food security, and *also calls* for a significant increase in the level of public and private investment in agriculture and in particular in food production;

10. *Calls on* States to propose solutions to the lack of world food security based on the principles of democratization and transparent and accountable governance, peace, sustainable development and respect for human rights, in particular the right to food, and also on the reduction of excessive military expenditure and non-social spending to release resources which can be reallocated to social and economic development;

11. *Also calls on* all countries, especially the developing ones, to enhance the role of women and strengthen their ability to contribute to and benefit from policies concerning them, primarily in the fields of financing, training and ownership;

12. *Urges* the developing countries to adopt effective policies to offset the negative effects of food price fluctuations on the international market and the resulting shortages of imported foodstuffs, by constituting reasonable foreign currency reserves and maintaining a certain level of emergency food reserves;

13. *Calls on* developed countries to take concrete measures in accordance with the undertaking given by ministers at Marrakesh to adopt guidelines to ensure that an increasing proportion of basic foodstuffs is supplied on grant or appropriately

concessional terms to least developed net food-importing countries, in line with the Food Aid Convention of 1986;

14. *Stresses* the need to improve the world economic situation, in particular through debt relief and the encouragement of foreign direct investment, in order to achieve food security in the developing world, particularly at the regional and sub-regional levels, taking account of both the production and distribution of food;

15. *Draws attention* to the need to pursue and co-ordinate international measures to cope with long-term problems caused by migratory flows and illnesses linked to undernourishment in the developing countries;

16. *Stresses* the need to step up efforts to achieve the four goals for the alleviation of hunger set out in the Declaration of Cairo adopted by the World Food Council at its 15th session:

    (a) Averting the risk of famine-related death;
    (b) Considerably reducing the number of cases of malnutrition and mortality among very young children;
    (c) Tangibly reducing the number of cases of chronic hunger;
    (d) Eliminating malnutrition-related illness;

17. *Calls on* the developing countries to strengthen their technological co-operation in the fields of food and agriculture in order to solve their food problems, and *urges* the UN to take on a major role in this field as the body responsible for promoting international co-operation in general and, in particular, technical co-operation between developing countries in the areas of food and agriculture;

18. *Endorses* the FAO's "Food for All" Campaign as a means to mobilize the whole of civil society in working towards eradicating hunger, raising public awareness of the implications of hunger for development, facilitating dialogue and promoting fund-raising activities;

19. *Calls on* all nations to honour the spirit of the World Trade Organization (WTO) as regards commitment to the liberalization of markets, in particular by facilitating trade in agricultural commodities with poorer nations, and to establish specific dispensations for developing countries whose agricultural sector plays a key role in the national economy in terms of employment generation and export earnings or whose prospects for viable agricultural production would be endangered;

20. *Also calls on* States to work towards the conclusion of international agreements specifying criteria for the sector of biotechnology and genetic engineering, and *encourages* the creation of a body which would represent the interests of countries that have gene resources and would distribute the resulting revenues;

21. *Further calls on* the Food and Agriculture Organization of the United Nations, the International Fund for Agricultural Development (IFAD) and the World Food Programme (WFP) to promote - in their respective areas of competence - national ... international measures aimed at stepping up efforts to combat hunger and to take up the challenges that face the developing countries in the area of food production;

22. *Endorses* the FAO's Special Programme on Food Production in Support of Food Security in Low-income Food-deficit Countries which is based on the philosophy of national responsibility, the preservation of social equity and people's participation, and which focuses mainly on participatory demonstration of enhanced food production technologies, the analysis of production constraints and the development of water management and small-scale irrigation potential;

23. *Exhorts* all competent bodies within the UN system as well as regional and sub-regional financial institutions to strengthen their co-operation in the fields of food and agricultural development;

24. *Urges* the Heads of State and Government attending the World Food Summit to adopt practical decisions guaranteeing that all persons and all countries benefit from the strengthening, protection and exercise of the right to food as a fundamental human right, and to give the FAO a mandate to draft - following broad consultations with States, non-governmental organizations, employer and employee trade unions, universities and research centres - an international Code of Conduct ensuring the application of the policies and plans of action adopted at this Summit;

25. *Endorses* the decision to organize a Parliamentarians' Day on the occasion of the World Food Summit (Rome, 15 November 1996), and *urges* parliamentarians to respond to the invitation of the Italian Parliament to participate in that event;

26. *Calls on* the international community to work out, taking account of population growth and the basic needs of the population, a policy and strategies for development in line with the recommendations of *Agenda 21* adopted by the United Nations Conference on Environment and Development (Rio, June 1992), and with the broad outlines of the Plan of Action of the International Conference on Population and Development (Cairo, September 1994);

27. *Stresses* that the right to food is one of the basic fundamental human rights, and *rejects* any use of the food issue by one or more countries or international bodies to exert political and economic pressure on other countries.

UNITED NATIONS

A S

General Assembly
Security Council

Distr.
GENERAL

A/51/676
~~S/1996/937~~
13 November 1996

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-first session
Agenda item 39
THE SITUATION IN AFGHANISTAN AND ITS IMPLICATIONS FOR INTERNATIONAL PEACE AND SECURITY

SECURITY COUNCIL
Fifty-first year

Letter dated 13 November 1996 from the Permanent Representative of Kyrgyzstan to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 12 November 1996, addressed to you by His Excellency Mr. Askar Akayev, President of the Kyrgyz Republic.

I should be grateful if the text of the present letter and its annex could be circulated as a document of the fifty-first session of the General Assembly, under agenda item 39, and of the Security Council.

(Signed) Zamira ESHMAMBETOVA
Permanent Representative of the Kyrgyz Republic to the United Nations

ANNEX

[Original: Russian]

Letter dated 12 November 1996 from the President of the Kyrgyz Republic addressed to the Secretary-General

The Kyrgyz Republic fully shares the deep concern which you personally, the United Nations Security Council and all interested States have expressed in connection with the military confrontation and bloodshed in Afghanistan. Your active efforts have been clearly manifested in the dispatch to the area of the armed conflict of the United Nations Special Mission headed by Mr. N. Holl, in the resolutions adopted by the Security Council, and in the search for ways to achieve a peaceful settlement in Afghanistan through the organization of a series of international working and expert conferences under the auspices and within the framework of the United Nations.

The Kyrgyz Republic, as you have been informed, stated its position on the Afghan problem at a special meeting of the Security Council, a position which is fully in keeping with the recommendations contained in the resolution adopted by the Security Council: the immediate cessation of hostilities and the holding of a political dialogue aimed at the establishment of a broad-based Government without any outside interference.

The Kyrgyz Republic, which actively and resolutely contributes to the broad international movement on behalf of peace and stability in neighbouring Afghanistan and strives to support and increase measures in the interests of regional security in the Central Asian geopolitical area, offers its capital, Bishkek, as the venue for an international conference on Afghanistan under the auspices of the United Nations. The organizational and other aspects of such a conference can, of course, be agreed during the course of its preparation. The main principle at this stage would seem to be that it should be at the ministerial level, with the participation of those countries which are members of the Security Council and of States which are interested in and have influence in Afghanistan, and that the parties to the conflict might possibly participate in the forum.

We believe that Bishkek offers suitable conditions for the holding of the conference, since, despise its relative proximity to the conflict zone, Kyrgyzstan has no common frontier with Afghanistan, there is no Kyrgyz ethnic minority in that country and Kyrgyzstan has no political and economic interests there. This makes it possible for us to take an impartial position and to create all the necessary conditions for the successful work of a conference on Afghanistan under the auspices of the United Nations.

I should be grateful if you would have this letter circulated as a document of the General Assembly, under agenda item 39, and of the Security Council.

(Signed) Askar AKAYEV
President of the Kyrgyz Republic

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/51/677
15 November 1996

ORIGINAL: ENGLISH

Fifty-first session
Agenda item 45

IMPLEMENTATION OF THE OUTCOME OF THE
WORLD SUMMIT FOR SOCIAL DEVELOPMENT

Letter dated 24 October 1996 from the Permanent Representative of Chile to the United Nations addressed to the Secretary-General

I write to draw your attention to the attached document, entitled "Priority actions for implementation by Parliaments of the results of the World Summit for Social Development", produced by the Inter-Parliamentary Union and approved at the 159th session of its governing body, the Inter-Parliamentary Council, in Beijing on 21 September 1996.

Since you have so personally sought to stimulate Governments and civil society globally in the fight against poverty and in the implementation of the main objectives of the World Summit, you may agree that this series of recommendations offers yet another tool for mobilizing political will and public support to this end. On the other hand, they constitute yet another indication of civil society's own activism in the follow-up to the World Summit for Social Development.

I should like to ask that the above-mentioned document be circulated as a document of the General Assembly, under agenda item 45.

(Signed) Juan SOMAVÍA
Ambassador
Permanent Representative

96-32413 (E) 261196 281196

/...

Annex

[Original: Arabic, English and French]

PRIORITY ACTIONS FOR IMPLEMENTATION BY PARLIAMENTS OF THE RESULTS OF THE WORLD SUMMIT FOR SOCIAL DEVELOPMENT

Findings and Recommendations of the Inter-Parliamentary Council
159th session, Beijing, 21 September 1996

The present findings and recommendations are based on the report of a ***Tri-Partite Meeting of Parliamentary, Governmental and Inter-Governmental Representatives*** *which took place at UN Headquarters on 5 and 6 September 1996. The meeting had been organized by the IPU in co-operation with the UN Department for Policy Co-ordination and Sustainable Development and the United Nations Development Programme to establish a set of priority actions and steps to be taken by national parliaments for the effective implementation of the Declaration and Programme of Action adopted by the World Summit for Social Development.*

Background information on the Tri-Partite Meeting is contained in the Appendix.

The report of the meeting was considered in depth by the Executive Committee at its 223rd session in Beijing on 13 September 1996. On the proposal of the Executive Committee, the ***Inter-Parliamentary Council,*** *at its 159th session on 21 September 1996, unanimously endorsed the findings and recommendations which are contained in this document. The parliaments of the following 118 countries were represented at the Council session in Beijing:*

Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belgium, Benin, Bolivia, Botswana, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Germany, Ghana, Guatemala, Guinea, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Japan, Jordan, Kazakstan, Kenya, Kyrgyzstan, Kuwait, Lao People's Democratic Republic, Latvia, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Malawi, Malaysia, Mali, Malta, Mauritania, Mauritius, Mexico, Moldova, Monaco, Mongolia, Morocco, Mozambique, Namibia, Netherlands, New Zealand, Norway, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Rwanda, San Marino, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zimbabwe.

ROLE AND COMPETENCE OF THE PARLIAMENT IN THE FOLLOW-UP TO THE WSSD

1. Commitments at the World Summit for Social development (WSSD) were made by Governments representing each State. The realization of those commitments, therefore, calls for the involvement of all branches of the State structure, including the national Parliament, as well as civil society as a whole. Indeed, the commitment and genuine involvement of all social groups are critical to the realization of the goals of the World Summit.

2. In every State, the national Parliament is the very embodiment of civil society. Its fundamental role is to represent and express the will of the people at State level. The Parliament, made up of men and women who are elected by the citizenry at large and are in direct contact with the population and associations of their constituencies, is the most natural and legitimate institution to represent the common interest of the various components of civil society.

3. Action by the Parliament and its members is crucial not only for the implementation of social development policies and programmes, but also for relaying and explaining to the public the issues involved and forging popular support for such action. Public awareness of social problems and public discussion and promotion of policies to address them are pre-requisites for problem-solving and, through direct and continuous dialogue with their constituents, members of Parliament are well placed to create awareness and discussion and place social development issues high on the national agenda. Moreover, the Parliament provides institutional and direct popular participation in the parliamentary decision-making process through hearings and parliamentary enquiries.

4. Parliament plays a crucial role in enacting legislation in every field and is therefore also indispensable as the vehicle which provides the legislative framework for social development. It does so through the ratification of relevant international conventions and agreements, the adoption of implementing legislation, the enactment of new laws and the harmonization of existing laws, and of course through the adoption by Parliament of the national budget. Each nation's Parliament also exercises Executive oversight. Through a variety of mechanisms, parliaments and their members are in a position to influence and prompt governmental action to realize the goals set at the WSSD and monitor their implementation.

5. It is also a fact that, through the attention they give to social development, parliaments contribute to ensuring that this question remains at the heart of the national political debate and stimulate further thinking on those problems on which the Social Development Summit reached no final conclusion.

PRIORITY ACTIONS

6. The Declaration and Programme of Action of the WSSD put *poverty eradication*, *productive employment* and *social integration* at the centre of the political agenda as the three basic goals to be achieved. The ten commitments endorsed at the Summit can be summarized in two categories - commitments to strategies which essentially seek to establish an enabling environment for social development, and commitments to the above three goals.

Section 1. An enabling environment for social development

7. The creation of the appropriate political, economic, social, cultural and legal environment at national and international levels underpins the ability of societies to achieve social development. In particular, the development and effective use of human resources are of central importance. This requires appropriate provision for education, health and other measures as well as efforts to ensure that optimum use is made of available indigenous expertise in social development. The WSSD reiterated key principles and actions that will be required to achieve the goals of the Summit. These include:

(a) The full and active participation of civil society

8. The Declaration and the Programme of Action of the Summit highlight the importance of creating or improving the environment so as to make possible the full and active participation of civil society in social development. **In this regard, parliaments should, *inter alia*:**

- **Ensure a stable legal framework to promote full respect for human rights and fundamental freedoms and the rule of law, access to justice, transparent and accountable governance and partnerships with representative organizations of civil society; such a legal framework should take special account of disadvantaged persons and groups;**

- **Introduce legislation to eliminate gender inequality in all spheres and set up measurable targets and monitor them to correct imbalances in the participation of men and women in decision-making at the political level and, to this end, promote affirmative action for women;**

- **Promote decentralization and open management of public institutions, strengthen the role of community organizations in policy making and implementation, encourage and support the creation of such organizations, especially among the disadvantaged and vulnerable sections of the population, and ensure that people's initiatives and participation become the key element in the development process.**

(b) A stable environment for growth

9. The Summit recognized that creating an enabling environment for growth is a priority. There is broad consensus today that a stable macroeconomic policy framework at the

global level is very important for stimulating employment-intensive growth which allows for as many people as possible to climb out of poverty, unemployment and social deprivation. **To this end, parliaments should:**

- **See to it that a stable macroeconomic policy framework is established which will include controlling inflation, liberalizing trade, promoting agricultural production, freeing the prices of agricultural products, encouraging the rural sector, removing constraints on labour markets such as restrictions on labour mobility and ensuring that subsidy systems benefit the needy;**

- **More particularly, determine the nature, content, speed and the modalities of these measures, monitor their progress and insist that obstacles in the way of implementation are removed and that the executing agencies are provided with the necessary human and financial resources;**

- **Promote social dialogue between workers, employers and governments.**

(c) Combat socially disruptive conditions

10. Almost every society is afflicted by socially disruptive conditions which are impediments to human development and which require action also by parliaments and their members. Among these are corruption, violence and terrorism in all its forms and manifestations, often also linked to narcotics trafficking.

- **Parliaments should encourage public denunciation and condemnation of corruption, enact or strengthen laws for the prevention of all forms of corruption, and establish standards of conduct for persons holding public office. Parliaments should take the lead in analysing the causes of corruption and their international linkages and encourage governments to develop international co-operation to fight corruption;**

- **Parliaments should enact or strengthen laws to fight organized crime and violence, terrorism, illicit arms trafficking, money laundering, trafficking in human beings and all forms of child abuse;**

- **Parliaments should similarly enact and strengthen laws to combat and prevent narcotics trafficking and, in particular, to ensure the seizure and forfeiture of the proceeds acquired through such trafficking.**

(d) Resource mobilization for social development

11. No new resources were committed at the WSSD to finance the Programme of Action, although various proposals to raise funds were put forward with the request that Governments consider them. **In order to mobilize additional resources and ensure more effective use of available resources for social development, parliaments should, in particular:**

- **Probe continuously current patterns of public spending to ensure that they are biased neither against the poor or vulnerable or disadvantaged groups, nor towards vested interests;**

- See that governments in both developed and developing countries re-direct existing expenditures, such as excessive military expenditure - taking into consideration national security requirements - towards social development activities and development assistance, and explore innovative ways of financing social development (imposition of user fees on higher services has been suggested as one of the ways; exemptions or subsidies for the poor and student loan schemes, etc., would have to be implemented to ensure that the poor have access to these services);

- Promote mobilization and effective and systematic use of indigenous expertise and local and community-based social organizations in devising social development strategies and approaches appropriate to particular situations, cultures and conditions while, at the same time, recognizing the value of exchange of expertise;

- Take the lead in reshaping budgets so as to give priority to basic social services such as primary education, primary health care including reproductive health and family planning services, nutrition, drinking water supply and sanitation - basic services which are more directly beneficial to the poor than higher services - and monitor continuously investment in these sectors;

- Influence governments to shift resources to the sector of the workforce where most of the poor are located (agricultural sector in Africa and South Asia and urban informal sector in Latin America have been cited as examples);

- Promote the 20:20 compact which calls for interested donor and recipient countries to allocate a minimum of 20% of official development assistance (ODA) and 20% of national budget to basic social programmes including basic education, primary health care, safe drinking water, family planning services and nutrition programmes;[1]

- Probe levels of official development assistance, call on governments to fulfil the agreed target of 0.7% of Gross National Product for ODA as soon as possible and monitor progress in reaching this target;

- Ensure that governments speedily implement debt relief agreements and negotiate further initiatives, including for multilateral debt, to alleviate the debts and debt servicing of the poorest and most heavily indebted low-income countries.

---

[1] The Oslo Consensus on 20/20 (Conference hosted by the Norwegian Government with representatives from donor countries, recipient governments and international institutions, held in Oslo, 23-25 April 1996) recognized that basic social services play a particularly important role in reducing the worst aspects of poverty, and called on governments to adopt the compact as a mutual commitment to poverty reduction strategies.

Section 2. Priority actions required to attain the goals

(a) Actions to be taken in order to attain the goal of poverty eradication

12. The WSSD put poverty on the political agenda in all countries and internationally. Poverty is recognized as multi-dimensional and complex and as a cross-cutting theme linked to social integration and employment. **As a priority, parliaments should:**

- **Work with governments and civil society to elaborate measurements, criteria and indicators for determining the extent and distribution of poverty, especially absolute poverty and to identify particularly vulnerable groups. Each country should develop a precise definition and assessment of absolute poverty;**

- **Ensure that governments formulate and implement national poverty eradication plans to address poverty at all levels of society. Such plans should contain timeframes and specific gender-sensitive measures to reduce poverty and income inequalities, and should make the eradication of absolute poverty their priority;**

- **Undertake regular national reviews of economic policies and national budgets to assess their impact on poverty and inequality and how they affect women, and to orient them towards poverty eradication;**

- **Encourage governments to establish policies, objectives and measurable targets to enhance women's economic opportunities and their access to productive resources so as to curb the growing trend of feminization of poverty.**

(b) Actions to be taken in order to achieve the goal of full employment

13. The WSSD reached consensus on the importance of full and adequately remunerated employment as an effective method of combating poverty and promoting social integration. Five tenets form the basis of action: the centrality of employment in socio-economic policy; the vital role of education and training; the quality of work; the recognition that more must be done to make employment available to people with special needs; and a reassessment of the nature of work and employment. **For their part, parliaments should:**

- **Ensure that governments pursue active policies for full, productive, freely chosen and adequately remunerated employment and that such policies are at the centre of economic and social policy;**

- **Encourage governments to involve trade unions and employers' organizations in the formulation of labour and employment policies;**

- **Call for the closest collaboration between the ministries in charge of economic and financial affairs and those in charge of labour and employment affairs in formulating and implementing policies;**

- **Verify that appropriate social safety mechanisms are established to minimize the adverse effects of structural adjustment, stabilization or reform programmes, and monitor the impact of trade and investment liberalization on employment in the national context;**

- **Also verify that mechanisms are established to monitor, on a periodic basis, the employment performance of the economy and to redirect, as necessary, policies towards the goal of full employment;**

- **Establish legal frameworks to foster the development of co-operative enterprises, well-defined educational priorities and effective investment in education and training systems; ensure women's access to credit and provide incentives for small and medium-size enterprises;**

- **Ensure that workers' basic rights are safeguarded, and that governments set target dates for eliminating all forms of child labour. To this end, ensure that relevant ILO conventions are ratified if this has not already been done, and that national legislation is enacted to enable the full implementation of international labour standards, in particular, to guarantee the respect for freedom of association, freedom from forced labour and freedom from discrimination;**

- **Ensure that governments develop and implement policies designed to provide improved working conditions including occupational safety and health conditions;**

- **Encourage governments to establish schemes which promote lifelong learning, provide full and equal access to training opportunities, secure the access of women to training programmes, and offer incentives for public and private sectors to provide continuous training. These measures are particularly important in the context of volatile jobs and labour markets;**

- **Ensure that governments broaden employment opportunities for persons with disabilities and that laws do not discriminate against such persons.**

(c) Actions to be taken in order to achieve the goal of social integration

14. The WSSD set the aim of creating " a society for all" in which every individual, each with rights and responsibilities, has an active role to play. Such an inclusive society must be based on respect for all human rights and fundamental freedoms, cultural and religious diversity, social justice, democratic participation and the rule of law. **To reach these objectives, parliaments should:**

- **Ensure a legal framework which encourages the formation of constructive civil society organizations and allows organizations of civil society to participate in the design, implementation and evaluation of policies related to social development;**

- **Ensure that governments establish the necessary bodies and procedures so that decisions are taken on the basis of accurate data and with the participation of those who will be affected;**

- **Enact appropriate laws, ratify international instruments and monitor their implementation in order to combat all forms of discrimination;**

- **Establish and strengthen machinery such as ombudsmen and parliamentary commissions for monitoring and resolving disputes and conflicts related to discriminatory practices at the local and national level;**

- **Ensure that governments introduce specific policies and social service programmes to prevent and eliminate all forms of violence in society, with particular emphasis on violence against women, children, older persons, people with disabilities and disadvantaged sections of the society.**

Section 3. Monitoring, review and appraisal of follow-up action at the national and international level

15. The Summit in Copenhagen recognized that the primary responsibility to create a positive environment for social development and effective follow-up to the WSSD lies at the national level. However, the responsibility of the international community and the role of inter-governmental mechanisms in creating the necessary legal and economic environment and in mobilizing resources at the international level cannot be underestimated.

16. The Summit recognized the UN General Assembly as the principal policy-making and appraisal organ at the inter-governmental level for matters relating to the follow-up to the Summit and asked the General Assembly to hold a special session in the year 2000 for an overall review and appraisal of the implementation of the Summit's outcome. Organizations of the United Nations system were given special responsibilities in that context.

17. In order to facilitate the monitoring process, a number of targets have been developed by different international fora. These include:

- **The proportion of people living in extreme poverty (on less than $370 per annum) should be reduced by at least one half by 2015;**

- **There should be universal primary education in all countries by 2005;**

- **Progress toward gender equality and the empowerment of women should be demonstrated by eliminating gender disparity in primary and secondary education by 2005;**

- **The death rate for infants and children under the age of five should be reduced by two-thirds of the 1990 level by 2010, and maternal mortality should be reduced by three-fourths during this same period;**

- **Access through primary health care to reproductive health, including reliable family planning methods, should be available to all no later than 2015;**

- **There should be a current national strategy for sustainable development, in the process of implementation, in each country by 2005, so as to ensure that**

current trends in the loss of environmental resources are effectively reversed at global and national levels by 2015.

18. However, it must be recognized that the output targets mentioned above cannot be attained by developing countries without provision of additional resources, better access to trade and transfer of technology.

19. Obviously, the process of monitoring, review and appraisal must start at the national level. **For this process to advance, parliaments should :**

- **Set up, strengthen or co-ordinate the work of appropriate parliamentary bodies responsible for social development questions and place the monitoring, appraisal and review of the implementation of the WSSD's outcome at the centre of their work;**

- **Ensure that governments formulate comprehensive cross-sectoral strategies for implementing the Social Summit's outcome with specific responsibilities and with agreed priorities and time frames and develop or adopt measurable targets;**

- **Strengthen implementation mechanisms, including arrangements for the participation of civil society in policy-making;**

- **Make full use of the mechanisms available to them, including enquiries, public hearings and the requiring of periodic reports from the relevant ministries to ensure that correct policies and priorities are adopted and followed, and assess regularly national progress in implementing the outcome of the Summit by similar means;**

- **Analyse and review through appropriate parliamentary bodies the impact of macroeconomic, microeconomic and sectoral policies on poverty, employment, social integration and social development, and assess the extent, distribution and characteristics of poverty, unemployment, social tension and social exclusion;**

- **Ensure that governments submit to parliaments periodic national reports outlining the successes, problems and obstacles encountered in implementing the outcome of the Summit and that, having incorporated the views of parliaments, governments transmit the reports to the United Nations by the middle of 1999 for the preparation of the first overall review and appraisal of the implementation of the Summit's platform by the Special Session of the United Nations General Assembly to be convened in the year 2000;**

- **Also ensure that national reporting does not cease with the Special Session, but that it continues during the UN Decade for Eradication of Poverty (1997 - 2006) and beyond.**

Section 4. Follow-up action by the Inter-Parliamentary Union

20. The Inter-Parliamentary Union, as the world organization of parliaments, has the responsibility to support action by national parliaments. Therefore, the Inter-Parliamentary Council:

- **Urges all member parliaments of the Inter-Parliamentary Union to implement the foregoing recommendations;**
- **Invites member parliaments to study the commitments and the Plan of Action of the WSSD with a view to (a) identifying additional actions which may be taken by parliaments, (b) defining the measures for implementation which the recommendations of the Summit require in view of each country's particular situation, and (c) advancing thinking on the issues which were left open at the WSSD;**
- **Requests the Secretary General to conduct periodic enquiries with member parliaments of the IPU on action taken by parliaments to implement these recommendations;**
- **Requests the IPU Committee for Sustainable Development that it monitor and evaluate such action;**
- **Requests the Secretary General to disseminate widely information gathered on action taken by national parliaments and the IPU to implement the results of the WSSD, in particular by communicating them to the United Nations Commission on Social Development;**
- **Requests the Executive Committee to study, when discussing the future activities of the Union, the possibility of convening, in co-operation with the relevant inter-governmental and regional inter-parliamentary organizations, regional and/or sub-regional meetings to promote parliamentary follow-up of the results of the WSSD;**
- **Invites the Executive Committee to consider including the issue of social development and specific aspects thereof when preparing the agendas of statutory Conferences;**
- **Recognizes the usefulness of convening other tri-partite meetings on follow-up to major United Nations Conferences and Summits in general and to the present recommendations in particular;**
- **Affirms its commitment to develop the Union's advisory services and technical co-operation programmes which aim at building the capacity of parliaments, thus enabling them to play their role more effectively in achieving the goals of social development.**

APPENDIX

BACKGROUND

The IPU contributed extensively to the preparation and holding of the World Summit for Social Development as well as to its immediate follow-up. These contributions included a resolution entitled *"International co-operation and national action to support social and economic development and efforts to combat poverty: Contribution of parliaments to the World Summit for Social Development"* adopted by the 92nd Inter-Parliamentary Conference in Copenhagen in September 1994, a *"Message to the WSSD"* presented by the President of the Inter-Parliamentary Council in his address to the Summit, a *"Parliamentarians' Day"* organized in Copenhagen on the occasion of the Summit and a resolution entitled *"Strategies for effective implementation of national and international commitments adopted at the World Summit for Social Development in Copenhagen"* adopted by the 94th Inter-Parliamentary Conference in Bucharest in October 1995.

In early 1996, the IPU's governing bodies considered it timely to establish a set of concrete priority actions and steps to be taken directly and indirectly by national parliaments for the effective implementation of the Declaration and Programme of Action adopted by the Summit. To that end, and to provide an occasion to contribute to enhanced co-operation between parliaments, governments and inter-governmental organizations in the follow-up to the Summit, the Inter-Parliamentary Council decided at its 158th session held in Istanbul in April 1996 to organize, in co-operation with the United Nations Department for Policy Co-ordination and Sustainable Development and the United Nations Development Programme, a **Tri-Partite Meeting of parliamentary, governmental and inter-governmental representatives**. This meeting was also foreseen as a first concrete expression of the new and closer co-operation between the United Nations and the Inter-Parliamentary Union which the United Nations General Assembly called for in its resolution 50/15 and which led to the signing of an agreement between the two Organizations on 24 July 1996.

The meeting took place at the United Nations Headquarters in New York on 5 and 6 September 1996 and was attended by: (i) **Members of Parliaments**: Mr. Nelson Chitty La Roche (Venezuela), Ms. Viola Furubjelke (Sweden), President of the meeting, Mr. Bonaya Godana (Kenya), Mr. Fouad Mbazza (Tunisia) and Mr. P. Upendra (India); (ii) **Ambassadors and Permanent Representatives to the United Nations in New York**: Mr. Ahmed Kamal (Pakistan), Mr. Benny Kimberg (Denmark), Mr. Mathias Semakula Kiwanuka (Uganda), Mr. René Valéry Mongbé (Benin) and Mr. Danilo Türk (Slovenia); (iii) **Senior representatives of inter-governmental organizations**: Mr. Nitin Desai, Under-Secretary-General, United Nations Department for Policy Co-ordination and Sustainable Development; Mr. Hirofumi Ando, Deputy Executive Director, United Nations Population Fund; Mr. Stephen Lewis, Deputy Executive Director and Ms. Farida Ali, Section Chief, International Organizations and Inter-Agency Affairs, United Nations Children's Fund; Mr. Shabbir Cheema, Director, Management Development and Governance Division, United Nations Development Programme; Mr. Armeane Choksi, Vice-President, The World Bank; and Mr. David Freedman, Director of the Liaison Office in New York, International Labour Organisation.

UNITED
NATIONS

A S

General Assembly
Security Council

Distr.
GENERAL

A/51/678
S/1996/953
18 November 1996

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-first session
Agenda items 33 and 35
SITUATION IN THE MIDDLE EAST
QUESTION OF PALESTINE

SECURITY COUNCIL
Fifty-first year

Report of the Secretary-General

1. The present report is submitted in accordance with General Assembly resolution 50/84 D of 15 December 1995 on the peaceful settlement of the question of Palestine.

2. On 30 August 1996, the Secretary-General, pursuant to the request contained in paragraph 8 of that resolution, addressed the following letter to the President of the Security Council:

> "I have the honour to refer to resolution 50/84 D, which the General Assembly adopted on 15 December 1995, at its fiftieth session, under the item 'Question of Palestine'.
>
> "Paragraph 8 of the resolution requests the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, for the promotion of peace in the region and to submit progress reports on developments in this matter.
>
> "In order to fulfil my reporting responsibilities under this resolution, I should be grateful if you would kindly convey to me the views of the Security Council by 30 September 1996."

3. On 4 October 1996, the following reply was received from the Security Council:

> "The members of the Security Council are gravely concerned about the recent developments and clashes resulting in deaths and injuries in Jerusalem and the areas of Ramallah, Bethlehem, Nablus and the Gaza Strip.

"The members of the Council stress the necessity for the concerned parties to pursue negotiations and to fulfil their obligations under the agreements achieved. The members of the Council continue to be determined to provide the needed backing to the Middle East peace process, giving full support to the agreements achieved as well as to the timely implementation of those agreements."

4. In a note verbale dated 30 August 1996 to the parties concerned, the Secretary-General sought the positions of the Governments of Egypt, Israel, Jordan, Lebanon and the Syrian Arab Republic, as well as the Palestine Liberation Organization, regarding any steps taken by them to implement the relevant provisions of the resolution. As at 22 October 1996, the following replies had been received:

Note verbale dated 30 September 1996 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General

"The Permanent Observer of Palestine to the United Nations seeks to convey the position of the Palestinian leadership of the Palestine Liberation Organization and the Palestinian National Authority on this matter.

"Resolution 50/84 D was adopted in the General Assembly by an overwhelming majority (143-3-3), a reflection of the strong convictions of the international community with regard to the content of the resolution. The resolution recalls several principles of international law and the Charter of the United Nations. It provides support for the peace process and a more active and expanded role for the United Nations in this process. It also provides the basis for the just settlement of the question of Palestine, the core of the Arab-Israeli conflict, by the end of the process. As such, the resolution should serve as an acceptable basis for all parties to work on these important issues.

"In paragraph 2 of resolution 50/84 D, the General Assembly once again expressed its full support for the ongoing peace process, which began in Madrid, and the Declaration of Principles on Interim Self-Government Arrangements, as well as the subsequent implementation agreements, and expressed the hope that the process would lead to the establishment of a comprehensive, just and lasting peace in the Middle East.

"Since the adoption of that resolution, some additional positive developments on the Palestinian-Israeli track of the peace process have taken place, in particular the redeployment of the Israeli army from major cities in the West Bank, with the exception of Al-Khalil (Hebron), and the holding of the Palestinian general election for the President of the Palestinian National Authority and the Palestinian Legislative Council. Unfortunately, several negative developments followed, including the assassination of Israeli Prime Minister Yitzhak Rabin, tragic bomb attacks against Israeli civilians, the

imposition of an almost continuous Israeli siege of the Palestinian territory and the postponement of the redeployment from Al-Khalil.

"Since the new Israeli Government of Prime Minister Netanyahu took office, there has been further deterioration in both the situation on the ground and the status of the peace process. The Israeli Government has adopted guidelines which contradict the letter and spirit of the two binding agreements signed with the Palestine Liberation Organization, namely the Declaration of Principles of 1993 and the Interim Agreement on the West Bank and Gaza Strip of 1995. The Israeli Government has made it clear that the timetables agreed upon will not be respected and it persists with dangerous violations of the agreements, such as the continued siege of the Palestinian territory and intentional delays in redeployment from Al-Khalil, as well as ongoing attempts to create new facts with regard to occupied East Jerusalem. The Government has also resumed colonial settlement activities in the occupied territory, which violate the Fourth Geneva Convention of 1949 and could reverse the peace process as a whole.

"In addition to the above-mentioned, on 24 September 1996, the Israeli Government opened an entrance to a tunnel in the vicinity of Al-Aqsa Mosque in occupied East Jerusalem, which led to tragic events resulting in a high number of casualties among Palestinian civilians caused by the Israeli army and police, including more than 50 killed and over 1,000 injured. Clashes also took place between Palestinian police and the Israeli army. The situation remains a very tense and dangerous one at this stage.

"In the seventh preambular paragraph of resolution 50/84 D, the General Assembly affirmed the illegality of the Israeli settlements in the territory occupied since 1967 and of Israeli actions aimed at changing the status of Jerusalem. That position acquires increasing importance in the light of the resumption of Israeli settler colonialism. Further, the Assembly, in paragraphs 4 and 5, stressed the need for the realization of the inalienable rights of the Palestinian people, primarily the right to self-determination, and the withdrawal of Israel from the Palestinian territory occupied since 1967, and also stressed the need for resolving the problem of the Palestine refugees in conformity with its resolution 194 (III) of 11 December 1948.

"The Palestinian side believes that paragraphs 4 and 5 are of great importance and it strongly believes that the international community, represented by the General Assembly, should always uphold the principles of the Charter of the United Nations, international law, international humanitarian law and the validity of the Security Council resolutions. As such, the General Assembly has to uphold its position related to the inalienable rights of the Palestinian people, and it should maintain its position related to the elements of the final settlement (final status issues), where Israel has already created illegal, de facto situations, until negotiations on those

issues take place and conclude in the second stage of the peace process and the final settlement is effectively achieved.

In paragraph 7 of the resolution, the General Assembly emphasized the importance for the United Nations to play a more active and expanded role in the current peace process and in the implementation of the Declaration of Principles. The Palestinian side welcomes the progress made in this regard, especially in the fields of providing economic, social and other assistance to the Palestinian people. It welcomes in particular the work of the United Nations Special Coordinator in the Occupied Territories in the field of coordinating United Nations and international assistance to the Palestinian people. It also welcomes the moving of the headquarters of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) to Gaza City and affirms the need for the continuation of the valuable and important work of UNRWA in other fields of operation outside the occupied Palestinian territory and the continuation of all field offices, including the field office in Jerusalem. Unfortunately, the United Nations did not participate in the observation of the Palestinian elections as called for in paragraph 7.

The Palestinian side hopes that the United Nations will be involved in keeping the peace process alive and in assisting in the achievement of serious progress in the process. Involvement of the Security Council would also be a very important factor in the interest of the peace process.

Indeed, the Security Council did contribute in salvaging the peace process by responding to the most recent events in the occupied Palestinian territory, including Jerusalem, by adopting resolution 1073 (1996) on 28 September 1996. We recall that the Council did similarly contribute positively after the massacre in Al-Khalil (Hebron) in Al-Ibrahimi Mosque by adopting resolution 904 (1994).

The Palestinian side, as it did in previous years, would like to underscore the request made by the General Assembly in resolution 50/84 D for the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, for the promotion of peace in the region and to submit progress reports on developments in this matter.

Finally, the Palestinian side believes that for the peaceful settlement of the question of Palestine to be achieved through the continued success of the current Middle East peace process, it is necessary to respect the basis upon which the process was initiated, namely the principle of the return of land for peace and the implementation of Security Council resolutions 242 (1967) and 338 (1973). It is equally important for the parties to comply with the agreements reached and to implement those agreements in good faith and without delay. The international community, especially the

co-sponsors of the peace process, have a great responsibility in this regard."

Note verbale dated 30 September 1996 from the Permanent Representative of Egypt to the United Nations addressed to the Secretary-General

"The adoption of this resolution in the General Assembly by an overwhelming majority constituted an indication of the strong commitment of the international community toward its contents. The resolution has encompassed several important principles of the Middle East process, namely in its reference to the Madrid Conference and the Declaration of Principles on Interim Self-Government Arrangements, as well as the relevant United Nations resolutions and the principles of international law. Egypt fully supports these principles and works tirelessly to bring the concerned parties towards a final settlement of the question of Palestine.

"The new Government that took office in Israel in May 1996 has, so far, adopted and implemented policies which were in clear contradiction to the letter and spirit of the above-mentioned principles, such as:

(a) Delaying the implementation of the agreed upon troop withdrawal and redeployment from Al-Khalil (Hebron) and zones R and C as determined by the agreement dated September 1995;

(b) Attempting to establish new facts that would change the situation on the ground in occupied East Jerusalem;

(c) Resuming settlement activities in the occupied territories;

(d) Delaying the holding of negotiations on issues of final settlement (final status issues).

"Many promises were made concerning the commitment of the Israeli Government to the principles of peace, as mentioned in resolution 50/84 D, yet the whole international community witnessed a complete stalemate in the peace negotiations as well as the adoption and implementation by that Government of policies that could reverse the peace process as a whole.

"Egypt opposes these policies and wishes to express its deep concern over the future of the Middle East peace process. The Government of Israel should fully respect and promptly implement the agreements reached in order to bridge the existing gap of mistrust and relaunch the peace process.

"Resolution 50/84 D (para. 7) emphasizes the importance of a more expanded role of the United Nations in the peace process. Egypt welcomes any progress in this regard, in particular in socio-economic fields as well as any assistance to the Palestinian people. The indispensable role of UNRWA in assisting the Palestinian people should

be strengthened and the agency should dispose of adequate financial resources to fulfil this role."

Observations

5. During the past year, the Middle East peace process has been challenged by a series of tragic incidents, by the urgency of translating the signed agreements into peace and security for all and by the need to find solutions to outstanding issues acceptable to the parties concerned.

6. In accordance with the Interim Agreement of 28 September 1995 between Israel and the Palestine Liberation Organization, Israeli troops were withdrawn from the major West Bank cities, with the exception of Hebron, paving the way for the holding of the first Palestinian general election on 20 January 1996. Negotiations on a permanent status were formally launched in May 1996, raising hopes that tangible results would soon follow. However, these promising developments were compromised by a series of acts of violence in Israel, such as the bomb attacks of February and March 1996 by extremists. These acts of violence have had a negative effect on the peace talks, while the prolonged closure of the occupied territories imposed by Israel to prevent further terrorist attacks has severely affected the Palestinian economy and resulted in an increased level of unemployment.

7. The absence of progress in the peace process in the second half of this year caused frustration and disappointment. These in turn have led, to the Secretary-General's deep regret and concern, to the tragic events of September 1996 in Jerusalem, the West Bank and the Gaza Strip, which threatened to unravel the negotiating process and brought about a crisis of confidence between its parties, namely the Israelis and the Palestinians. In response to those events, the Security Council adopted resolution 1073 (1996) on 28 September 1996.

8. A few days later, on 2 October 1996, the Prime Minister of Israel and the Chairman of the Palestine Liberation Organization took the reassuring decision to resume negotiations aimed at solving outstanding issues and implementing the Declaration of Principles on Interim Self-Government Arrangements (A/48/486-S/26560, annex).

9. It was expected from the outset of the negotiation process that the road to peace would not be easy. However, the only alternative to that process is a return to instability, endemic violence, regional tensions and uncertain economic prospects. This imposes on all the participants in the peace talks a duty to listen to reason and to show the determination and flexibility needed to carry out the negotiations in earnest, in accordance with the principles agreed at the Madrid Peace Conference of 1991 and other agreements already reached, until a permanent settlement is achieved on the basis of Security Council resolutions 242 (1967)and 338 (1973). In addition, it is clear that for the Middle East peace process to produce truly comprehensive and lasting results, progress must be made also on the Israeli-Syrian and Israeli-Lebanese tracks of negotiation.

10. For its part, the United Nations will continue to support the peace process and to respond in an integrated way to the economic, social and other needs of the population in the West Bank and Gaza. The coordinated approach to the delivery of assistance to the Palestinians implemented by the then United Nations Special Coordinator, Mr. Terje Roed Larsen, has proved effective, particularly in times of crisis. The relocation of the headquarters of the United Nations Relief and Works Agency for Palestine Refugees from Vienna to Gaza City has resulted in closer contact between the Agency and the Palestine refugees and helped to create additional jobs in Gaza. However, economic and social conditions in the West Bank and Gaza remain dire and it is to be hoped that ways will be found to improve them in the near future, including by further easing and eventual lifting of the closure.

11. Following the departure of Mr. Larsen, who returned in October 1996 to Norway to join the new Government there, the Secretary-General has asked the Commissioner-General of UNRWA, Mr. Peter Hansen, to assume temporarily the functions of United Nations Special Coordinator in the Occupied Territories. The Secretary-General would like to thank Mr. Larsen for his valuable work in the service of the United Nations and the parties.